

## UNITED STATES DISTRICT COURT

for the

Southern District of Texas

DEC - 2 2019

David J. Bradley, Clerk

United States of America )  
 v. )  
 Roy CABRERA ) Case No. M-19-2923-M  
 DOB: 1991 )  
 Citizenship: USA )  
 \_\_\_\_\_ )

*Defendant(s)*

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 23, 2019 in the county of Hidalgo in the  
 Southern District of Texas, the defendant(s) violated:

*Code Section*  
19 USC § 1433/1436

*Offense Description*  
It is unlawful to fail to comply with section 1433 (b)(2) immediately upon the arrival of any vehicle in the United States at a border crossing point, the person in charge of the vehicle shall report the arrival; and present the vehicle, and all persons on board for inspection; to the customs officer at the customs facility designated for that crossing point.

This criminal complaint is based on these facts:

See Attachment "A"

Continued on the attached sheet.

Approved by Scott Greenbaum, ALSA  
*for U.S. Dept.* 12/2/2019

Complainant's signature

Eddie A. Ramirez, HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 12/02/2019 8:58 am

Judge's signature

City and state: McAllen, Texas

U.S. Magistrate Judge Peter E. Ormsby

Printed name and title

**"ATTACHMENT A"**

I am a Special Agent (SA) of the United States Homeland Security Investigations (HSI), and have knowledge of the following facts:

1. On November 23, 2019, a Dodge Charger registered to Roy CABRERA entered the United States (U.S.) through the Progreso, Texas port of entry's (POE) outbound lane. Upon entering the U.S. the driver did not report his arrival nor did he present the vehicle to Customs and Border Protection (CBP) officers for inspection. Subsequently, the Dodge Charger and its occupant(s) successfully fled the port of entry.
2. On November 30, 2019, CABRERA and Stephanie ALVARADO entered the U.S. in a Dodge Charger through the Progreso, Texas POE.
3. At the Progreso POE, CABRERA gave negative declarations for narcotics, weapons, ammunition and monetary instruments in excess of \$10,000 to CBP officers. Database queries of the vehicle revealed that the vehicle's license plate and description matched the same Dodge Charger that fled the port of entry on November 23, 2019.
4. CABRERA and the vehicle were referred for a secondary inspection. During the secondary inspection, CABRERA freely stated 'he knew why he was being detained and that he messed up by driving north a week prior.'
5. CBP officers advised CABRERA of his Miranda rights in the English language, which he stated he understood and waived in writing.
6. Post Miranda, CABRERA stated he was the owner and driver of the Dodge Charger on November 23, 2019. He was also aware that it was a crime to fail to present himself to CBP officers at the port of entry. CABRERA stated he did not present himself or the vehicle for inspection because he was highly intoxicated.